

## REMARKS

Reconsideration of this application, as amended, is respectfully requested.

This application has been reviewed in light of the Office Action dated October 30, 2002. Claims 1-11, and 17-25 are currently pending. It is gratefully acknowledged that the Examiner finds allowable subject matter in Claims 6, 8, 23, and 25.

In the Office Action, the Examiner has rejected Claims 1, 2, 9-11, 17, and 18 under 35 U.S.C. § 102(e) as being anticipated by *Chennakeshu et al.* (U.S. 6,192,503), Claims 1, 2, 5, 7, 17, 18, 22, and 24 under 35 U.S.C. § 102(e) as being anticipated by *Hagenauer et al.* (U.S. 5,761,248). Claims 3, 4, 20, and 21 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Chennakeshu et al.* in view of *Hagenauer et al.* (U.S. 6,377,610). It is noted that the Examiner has not made any specific reference to Claim 19.

The Examiner has also objected to the drawings of the present application, asserting that Figures 1 and 2 should be designated by a legend such as --Prior Art--. Accordingly, replacement Figures 1 and 2 have been included, which are amended to include the legend --Prior Art--. Therefore, it is respectfully submitted that the Examiner withdraw the objection to Figures 1 and 2.

As stated above, the Examiner has rejected independent Claims 1 and 17 under 35 U.S.C. § 102(e) as being anticipated by *Chennakeshu* and *Hagenauer*. With regards to *Chennakeshu*, the

Examiner asserts that *Chennakeshu* discloses a message information receiver (140) for receiving information about a message to be received. However, it is respectfully submitted that the “communications symbol processing means” (140) of *Chennakeshu* does not receive information about a message to be received as disclosed in independent Claims 1 and 17 of the present application. Instead, in *Chennakeshu*, the “communications symbol processing means” processes the already communicated communications signal (135) to produce first and second received sequences. Consequently, it is respectfully submitted that *Chennakeshu* does not teach a message information receiver for receiving information about a message to be received as taught in independent Claims 1 and 17 of the present application, as is asserted by the Examiner.

Further, the Examiner asserts that *Chennakeshu* discloses a controller (160) for determining an iterative decoding number according to received message information, as is disclosed in Claims 1 and 17 of the present application. However, it is respectfully submitted that the signal strength determining means (160) in *Chennakeshu*, is not an equivalent of the controller disclosed in claims 1 and 17 of the present application, and that there is no description in *Chennakeshu* of the signal strength determining means (160) determining an iterative decoding number according to received message information. Consequently, it is respectfully submitted that *Chennakeshu* does not teach a controller for determining an iterative decoding number according to received message information as taught in independent Claims 1 and 17 of the present application, as is asserted by the Examiner.

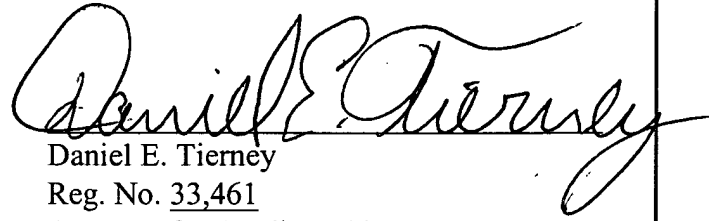
With regard to *Hagenauer*, the Examiner asserts that *Hagenauer* discloses a message information receiver for receiving information about a message to be received. However, it is respectfully submitted that the Examiner is incorrect. In *Hagenauer*, multi-dimensionally coded information is received and an iteration sub-step of iterative decoding is performed thereon. Consequently, it is respectfully submitted that *Hagenauer* does not teach a message information receiver for receiving information about a message to be received as taught in independent Claims 1 and 17 of the present application. Further, *Hagenauer* does not teach iteratively decoding the received message according to the determined iterative decoding number, but instead teaches aborting an iterative decoding process upon a comparison of iteration sub-steps. Therefore, it is respectfully submitted that the Examiner is incorrect in rejecting independent Claims 1 and 17 under 35 U.S.C. § 102(e) as being anticipated by *Hagenauer*, and it is respectfully requested that the rejections to Claims 1 and 17 be withdrawn.

Rejected and objected to dependent Claims 2-11 and 18, 20-25, and Claim 19, depend from independent Claims 1 and 17, respectively, and therefore contain the same limitations as independent Claims 1 and 17. Therefore, for at least the same reasons given for independent Claims 1 and 17, Claims 2-11 and 18-25 are considered to be patentable.

In view of the preceding amendments and remarks, it is respectfully submitted that all pending claims, namely Claims 1-11, and 17-25, are in condition for allowance. Should the

Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,



Daniel E. Tierney

Reg. No. 33,461

Attorney for Applicant(s)

**DILWORTH & BARRESE, LLP**

333 Earle Ovington Blvd.

Uniondale, New York 11553

Tel: (516) 228-8484

Fax: (516) 228-8516

PJF/DMO/lah